North Central Regional Transit District ("NCRTD")
Resolution 2007-12

Adoption of the State Plan for Deferred Compensation

WHEREAS, the State of New Mexico has enacted the Deferred Compensation Act (NMSA 1978 Section 10-7A-1 et seq.) which permits any local public employer to adopt the Deferred Compensation Plan as approved pursuant to NMSA 1978 Section 10-7A-8 by the Public Employees Retirement Board; and,

WHEREAS, the State of New Mexico, by the Public Employees Retirement Board has established and maintains the Deferred Compensation Plan ("Plan") for participation by state employees and by local public employees; and,

WHEREAS, the NCRTD (hereinafter referred to as the "Participating Employer") desires to adopt the Plan for participation by its employees; and,

WHEREAS, the Participating Employer has also determined that it wishes to encourage employees saving for retirement by offering salary reduction contributions; and,

WHEREAS, the Participating Employer has reviewed the Plan; and,

WHEREAS, by adopting the Plan, the NCRTD adopts the investments and services selected by the Public Employees Retirement Board.

NOW, THEREFORE, the Participating Employer hereby resolves:

Section 1. The Participating Employer shall abide by the terms of the Plan, including amendments to the Plan made by the Public Employees Retirement Board, all

investment, administrative, and other service agreements of the Plan, and all applicable provisions of the Internal Revenue Code and other applicable law.

Section 2. The Participating Employer may terminate its participation in the Plan, if it takes the following actions:

(a) A resolution must be adopted terminating its participation in the Plan.

(b) The resolution must be filed with the Deferred Compensation Manager and the Public Employees Retirement Board within fifteen (15) working days of approval by the governing body of the local public body.

(c) The resolution must be filed not less than two years after the date the Employer's participation became effective.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the NCRTD that the its Executive Director has authority to execute on behalf of it documents to implement the Plan for the NCRTD, and to take action to correctly maintain the Plan under this Resolution.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 14th DAY OF SEPTEMBER 2007.

Miguel Chavez, Secretary